



Civic Centre,  
Arnot Hill Park,  
Arnold,  
Nottinghamshire,  
NG5 6LU

# Agenda

## Environment and Licensing Committee

Date: **Tuesday 6 August 2013**

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Time: **4.15 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Lyndsey Parnell**

Members' Services Officer

0115 901 3910

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# Environment and Licensing Committee

## Membership

**Chair** Councillor Marje Paling

**Vice-Chair** Councillor Meredith Lawrence

Councillor Bruce Andrews  
Councillor Sandra Barnes  
Councillor Nicki Brooks  
Councillor Ged Clarke  
Councillor Roxanne Ellis  
Councillor Tony Gillam  
Councillor Jenny Hollingsworth  
Councillor Mike Hope  
Councillor Barbara Miller  
Councillor John Parr  
Councillor Stephen Poole  
Councillor Henry Wheeler

## AGENDA

Page

- 1 **Apologies for Absence.**
- 2 **To approve, as a correct record, the minutes of the meeting held on 16 July 2013** 1 - 6
- 3 **Declaration of Interests.**
- 4 **Notices Served** 7 - 8  
  
Report of Corporate Director - David Wakelin
- 5 **Exclusion of the Press and Public.**  
  
To move that under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting during consideration of the ensuing report on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 6 **Request for Exemption from Displaying Fixed Plates** 9 - 10  
  
Report of Corporate Director - David Wakelin
- 7 **Complaint Relating to Hackney Carriage / Private Hire Drivers JGS** 11 - 16  
  
Report of Corporate Director - David Wakelin
- 8 **Application for a Joint Hackney Carriage / Private Hire Drivers Licence - NM** 17 - 18  
  
Report of Corporate Director - David Wakelin
- 9 **Application for Joint Hackney Carriage / Private Hire Drivers Licence - TH** 19 - 20  
  
Report of Corporate Director - David Wakelin
- 10 **Application for a Joint Hackney Carriage / Private Hire Drivers Licence - ZUH** 21 - 24

Report of Corporate Director - David Wakelin

- 11 Application for Joint Hackney Carriage / Private Hire drivers Licence - MSA 25 - 28**

Report of Corporate Director - David Wakelin

- 12 Application for a Joint Hackney Carriage / Private Hire Drivers Licence - BH 29 - 30**

Report of Corporate Director - David Wakelin

- 13 Application for a Joint Hackney Carriage / Private Hire Drivers Licence - AH 31 - 32**

Report of Corporate Director - David Wakelin

- 14 Application for a Joint Hackney Carriage / Private Hire Drivers Licence - JS 33 - 36**

Report of Corporate Director - David Wakelin

- 15 Any other item which the Chair considers urgent.**

## ENVIRONMENT AND LICENSING COMMITTEE

**Tuesday, 16th July, 2013**

Councillor M Paling (Chair)

Councillors:	B.M. Andrews	S.J. Barnes
	N. Brooks	G.V. Clarke
	R. Ellis	A.J. Gillam(a)
	J. Hollingsworth (a)	M. Hope
	M. Lawrence	B.S.R. Miller
	J.M. Parr (a)	S. Poole
	H.T.N. Wheeler	

**15 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Parr and Hollingsworth.

**16 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 11 JUNE 2013.**

**RESOLVED:**

To approve, as a correct record, the minutes of the meeting held on 11 June 2013.

**17 DECLARATION OF INTERESTS.**

None.

**18 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.**

None.

**19 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED:**

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in

Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

**20 APPEAL AGAINST REVOCATION OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AB**

**RESOLVED:**

That the report be noted.

**21 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - ZT**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from ZT.

ZT did not attend the Committee.

**RESOLVED:**

That ZT's application for a Hackney Carriage/Private Hire Drivers Licence be deemed withdrawn due to his non-attendance at two Committee meetings.

**22 CHANGE OF CIRCUMSTANCES OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SU-H**

The Committee considered a report from Corporate Director, David Wakelin, regarding a change of circumstances of a joint Hackney Carriage/Private Hire Driver's Licence from SU-H.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To suspend the Hackney Carriage/Private Hire Drivers Licence held by SU-H for 28 days from 16th July 2013 until 12<sup>th</sup> August due to his plying for hire conviction.

**23 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - BA**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from BA.

BA attended the meeting and addressed the Committee.

BA submitted references, in support of his application which were read out by the Chair.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To approve BA's application for a Hackney Carriage/Private Hire Driver's Licence.

**24 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - HU-R**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from HU-R.

HU-R attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To approve HU-R's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**25 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AH**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from AH.

AH attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To approve AH's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**26 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - NM**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from NM.

NM attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To refuse NM's application for a Hackney Carriage/Private Hire Driver's License on the grounds that he is not a fit and proper person.

NM was advised of his right of appeal against the decision of the Committee.

**27 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SSD**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SSD.

SSD attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's



approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To refuse SSD's application for a Hackney Carriage/Private Hire Driver's License on the grounds that he is not a fit and proper person.

SSD was advised of his right of appeal against the decision of the Committee.

**28**

**APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - RN**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from RN.

RN attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that exceptional circumstances exist that warrant departure from this policy.

**RESOLVED:**

To approve RN's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

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## Report to Environment and Licensing Committee

**Subject:** Notices Served  
**Date:** 6 August 2013  
**Author:** Corporate Director

### Environmental Protection Act 1990 Section 80

A Notice was served on the residents of a property in Belvoir Lodge, Whimsey Park Carlton on 21<sup>st</sup> May 2013, to prevent an accumulation of domestic refuse and furniture at the side of the property.

A Notice was served on the occupier of a property in Dunstan Street, Netherfield to prevent the accumulation of domestic refuse and furniture at the property.

### Health & Safety at Work Etc Act 1974 Section 2(1) and the Workplace (Health, Safety and Welfare) Regulations 1992 Regulation 12(1)

An Improvement Notice was served on a property in the Burntstump Country Park, to improve the flooring of a food storage area, preventing risk to staff, health and safety.

### Health & Safety at Work Etc Act 1974 Section 2(1) and 3(1) the Workplace (Health, Safety and Welfare) Regulations 1992 Regulation 5(1)

An improvement Notice was served on the owner of a property on Main Road Gedling, to improve and maintain the workplace, of a wooden storage shed in the rear service yard that has been struck by a vehicle, breaking and dislodging the support frame. The structure is unstable.

### Environmental Protection Act 1990 sections 87 and 88

Under the above legislation it is an offence if any person throws down, drops or otherwise deposits litter on any public land. The Act also enables the local Authority to operate a fixed penalty scheme whereby the offender may be given the option for paying a fixed penalty within 14 days and so discharge any liability of conviction for that offence by the Court. The current level of fixed penalty is £50.00.

Enforcement has been carried out by Officers for the following offences:

Date of Offence	Location of Offence	Ward	Person Witnessing Offence	Fixed penalty served	Paid	Comments
03.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	09.05.13	Y	
01.05.13	High Street Car Park Arnold	St Marys Ward	Neighbourhood Warden	08.05.13	Y	
01.05.13	High Street Arnold	St Marys Ward	Neighbourhood Warden	09.05.13	Y	

18.03.13	Jubilee House Car Park	Daybrook Ward	Neighbourhood Warden	14.05.13	N	FPN Returned no longer at address
11.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	N/A	N	Court date 19/08/13 No FPN issued
11.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	15.05.13	Y	
11.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	15.05.13	Y	
11.05.13	High Street Car Park Arold	St Marys Ward	Neighbourhood Warden	15.05.13	N	Court 19/08/13
16.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	17.05.13	Y	
14.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	17.05.13	Y	
18.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	21.05.13	Y	
01.06.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	04.06.13	N	False Details Given
18.05.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	22.05.13	N	Court 19/08/13
01.06.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	05.06.13	N	Court 19/08/13
11.06.13	Killisick Road Arnold	Killisick Ward	Neighbourhood Warden	12.06.13	Y	
12.06.13	Front Street Arnold	St Marys Ward	Neighbourhood Warden	12.06.13	Y	
06.06.13	High Street Arnold	St Marys Ward	Neighbourhood Warden	28.06.13	Y	
29.06.13	Plains Road Mapperley	Woodthorpe Ward	Neighbourhood Warden	03.07.13	Y	

### **The Dogs (Fouling of Land) Act 1996**

Under the above legislation it is an offence if any person allows their dog to foul and not clear it away forthwith. Neighbourhood Wardens have taken statements from members of the public who have witnessed dog-fouling offences and have taken appropriate action. The details of the cases are as follows:

Date of Offence	Location of Offence	Ward	Person Witnessing Offence	Fixed penalty served	Paid	Comments
05.04.13	Ramsey Drive/Gedling Road		Neighbourhood Warden	06.04.13	Y	

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